

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: (202) 502-2800
Fax: (202) 502-2888

<http://www.jpml.uscourts.gov>

May 14, 2007

J. Michael McMahon, Clerk
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312



MAY 17 2007

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY

Re: MDL-1598 -- In re Ephedra Products Liability Litigation

(See Attached CTO-50)

Dear Mr. McMahon:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on April 26, 2007. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By

Denise Margem-Stone
Deputy Clerk



05-CV-01068-MAN

Attachments

cc: Transferee Judge: Judge Jed S. Rakoff
Transferor Judge: Judge Marsha J. Pechman
Transferor Clerk: Bruce Rifkin

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

APR 26 2007

FILED
CLERK'S OFFICE

DOCKET NO. 1598

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION

Gerald Fisk v. Metabolife International, Inc., et al., W.D. Washington, C.A. No. 2:05-1068 *WTP*

CONDITIONAL TRANSFER ORDER (CTO-50)

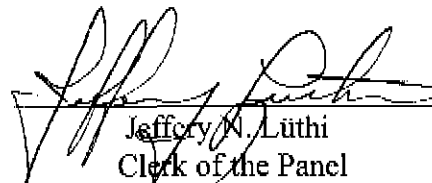
On April 13, 2004, the Panel transferred 14 civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 314 F.Supp.2d 1373 (J.P.M.L. 2004). Since that time, 666 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jed S. Rakoff.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Rakoff.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of April 13, 2004, and, with the consent of that court, assigned to the Honorable Jed S. Rakoff.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

MAY 14 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST (CTO-50)
DOCKET NO. 1598
IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION

Lisa R. King Ackley
Walsworth, Franklin, Bevins & McCall
One City Blvd. West, 5th Floor
Orange, CA 92868-3677

Robert R. Barnes
Allen, Matkins, Leck, Gamble & Mallory, LLP
501 West Broadway
15th Floor
San Diego, CA 92101

Rex Allen Littrell
Ulmer & Berne, LLP
88 East Broad Street
Suite 1600
Columbus, OH 43215

David J. Molton
Brown, Rudnick, Berlack & Israels, LLP
Seven Times Square
New York, NY 10036

Lance Eugene Palmer
Kraft Palmer Davies, PLLC
720 Third Avenue
Suite 1510
Seattle, WA 98104-1825

Christopher A. Seeger
Seeger Weiss, LLP
550 Broad Street
Suite 920
Newark, NJ 07102-4573

Nathaniel J.R. Smith
Soha & Lang, PS
701 Fifth Avenue
Suite 2400
Seattle, WA 98104

R. Gaylord Smith
Lewis Brisbois Bisgaard & Smith
550 West C Street
Suite 800
San Diego, CA 92101-3531

Stephen R. Stern
Hoffinger, Stern & Ross
150 East 58th Street
19th Floor
New York, NY 10155

Diane P. Sullivan
Dechert LLP
Princeton Pike Corporate Center
P.O. Box 5218
Princeton, NJ 08543-5218

Joseph P. Thomas
Ulmer & Berne, LLP
600 Vinc Street
Suite 2800
Cincinnati, OH 45202-2409

Shannon Maureen Whitmore
Merrick, Hofstedt & Lindsey
3101 Western Avenue
Suite 200
Seattle, WA 98121